

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**LARRY JONES and D'SHAWN
JONES,**

Plaintiffs,

Hon:

v.

Case No: 21-10441

**FLORA BLANDING, BAILEY
RUMSCHLAG, PAUL SWEPPY,
JAMES DEMPS, and CITY OF
DETROIT, a Municipal Corporation,
Jointly and Severally,**

Defendants.

FRANK K. RHODES, III (P-24119)

Attorney for plaintiffs
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MICHAEL M. MULLER (P-38070)

Attorney for City of Detroit
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NOTICE OF REMOVAL

NOW COME defendants, City of Detroit, Paul Sweppy, James Demps and Flora Blanding, and for their Notice of Removal, state as follows:

1. That on or about February 17, 2021, plaintiff filed Case No. 21-002179-NO in the Circuit Court for the County of Wayne, State of Michigan naming City of

Detroit, Paul Sweppy, James Demps and Flora Blanding as party defendants.
(Exhibit A).

2. That plaintiff's complaint asserts federal civil rights claims under 42 U.S.C. §1983 against all individual defendants for alleged violation of the 4th Amendment to the U.S. Constitution in paragraph 9 and against the City under *Monell* in paragraph 11, together with state claims for False Arrest/Imprisonment, Malicious Prosecution and Assault & Battery/excessive force. (Exhibit A).
3. That this Honorable Court has original jurisdiction over the aforesaid claims under 28 U.S.C. §1331 (Federal Question Jurisdiction), and such claims are removable pursuant to 28 U.S.C. §1441(b) and §1446(b).
4. That the within Notice for Removal has been filed within thirty days of service (February 23, 2021), notice of filing or otherwise of the Complaint in Case No. 21-002179-NO by and through which defendants first ascertained the case had become removable.

/s/Michael M. Muller
MICHAEL M. MULLER (P-38070)
Senior Assistant Corp Counsel
2 Woodward Avenue, Suite 500
Detroit, MI 48226
(313) 237-5052

Dated: February 26, 2021

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PROOF OF SERVICE

I hereby certify that on **February 26, 2021**, I electronically filed the foregoing papers with the Clerk of the Court using the ECF system. The undersigned also certifies that a copy of the **Notice of Removal and this Proof of Service** was served on the attorney of record in the above cause by emailing the same to him at his email address of record with Wayne County Circuit Court.

/s/Michael M. Muller